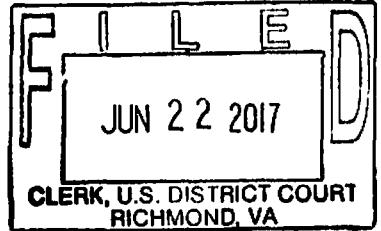


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



UNITED STATES OF AMERICA

v.

Criminal No. 3:08CR309  
Civil Action No. \_\_\_\_\_

WAYNE D. THOMPSON

MEMORANDUM OPINION

By Memorandum Opinion and Order entered on December 19, 2013, the Court denied on the merits a motion under 28 U.S.C. § 2255 filed by Wayne D. Thompson. (ECF Nos. 56, 57.) On May 30, 2017, the Court received another 28 U.S.C. § 2255 motion from Thompson.

The Antiterrorism and Effective Death Penalty Act of 1996 restricted the jurisdiction of the district courts to hear second or successive applications for federal habeas corpus relief by prisoners attacking the validity of their convictions and sentences by establishing a "gatekeeping mechanism." Felker v. Turpin, 518 U.S. 651, 657 (1996) (internal quotation marks omitted). Specifically, "[b]efore a second or successive application permitted by this section is filed in the district court, the applicant shall move in the appropriate court of appeals for an order authorizing the district court to consider the application." 28 U.S.C. § 2244(b)(3)(A). The Court has not received authorization from the United States Court of Appeals for the Fourth Circuit to file the present § 2255 motion.

Therefore, the action will be dismissed for want of jurisdiction. The Court will deny a certificate of appealability.

The Clerk is directed to send a copy of this Memorandum Opinion to Thompson and counsel for the United States.

Date: June 21, 2017  
Richmond, Virginia

/s/ REP  
Robert E. Payne  
Senior United States District Judge